

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Applicant respectfully requests the foregoing amendments be entered, at least because they place the application in condition for allowance.

As an initial matter, applicant notes that the Office Action Summary of the Office Action indicated that the Office Action was non-final, while page 5 of the Office Action indicated that the Office Action was final. Examiner Chevalier indicated in a telephone call that the Office Action should be considered as final. Accordingly, applicant is treating the present Office Action as a final Office Action.

Claim 1 is requested to be cancelled without prejudice or disclaimer. Claims 2-7 and 9-13 are currently being amended. Claims 33-38 are being added. No new matter is being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 2-13 and 29-38 are now pending in this application.

Rejection Under 35 U.S.C. § 102

Claims 1-13 and 29-32 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,025,159 to McGrath ("McGrath"). Applicant respectfully traverses this rejection, insofar as it can be applied to the claims as amended, for at least the following reasons.

Claim 33

Independent claim 33 recites "a first backlighting display component film having an upper surface and a lower surface, said upper surface of said first backlighting display

component film comprising a series of optical structures” and “a second backlighting display component film having an upper surface and a lower surface, said upper surface of said second backlighting display component film comprising a series of optical structures.” Thus, in claim 33 both the first backlighting display component film and the second backlighting display component film have an upper surface comprising a series of optical structures. McGrath does not disclose at least this feature of claim 33.

The Office Action equates the basal sheet and cover sheet of McGrath with the component films as recited in the claims. In contrast to claim 33, however, McGrath does not disclose that an upper surface of both the basal sheet and cover sheet comprise a series of optical structures. McGrath does disclose one embodiment in FIG. 5 where the cover sheet 25 has corner cubes and the basal sheet 26 appears to have microspheres. Assuming arguendo that the corner cubes and microspheres could each be considered to be a series of optical structures, the corner cubes on the coversheet 25 are on its lower surface, not its upper surface. Thus, McGrath does not disclose both a first backlighting display component film and a second backlighting display component film having an upper surface comprising a series of optical structures.

Claim 34

Independent claim 34 recites “a second backlighting display component film having an upper surface and a lower surface, said raised spacing structures contacting said lower surface of said second backlighting display component film and providing a gap between said upper surface of said first backlighting display component film and said lower surface of said second backlighting display component film, wherein said raised spacing structures comprise at least one post-structure.” McGrath fails to disclose this feature of claim 34. The narrow intersecting bonds 13 of McGrath do not include post structures, but instead are arranged as a grid-like structure to create cells (See FIG. 1).

Claim 35

Independent claim 35 recites “a backlight illumination source providing illumination to the multilayer backlighting display optical film.” In contrast, McGrath merely discloses a

cellular retroreflective sheeting, but does not disclose any backlight illumination source providing illumination to its sheeting.

Claim 36

Independent claim 36 recites “wherein at least one of said first backlighting display component film or said second backlighting display component film is a brightness enhancement film.” By contrast, McGrath does not disclose that either of its basal sheet or its cover sheet have structure to be a brightness enhancement film.

Claim 37

Independent claim 37 recites “wherein at least one of said first backlighting display component film or said second backlighting display component film is a polarization recycling film.” By contrast, McGrath does not disclose that either of its basal sheet or its cover sheet have structure to be a polarization recycling film.

Claim 38

Independent claim 38 recites “said component films being configured such that the optical structures of said component films are configured orthogonally.” By contrast, McGrath does not disclose that its basal sheet and its cover sheet are arranged relative to each other such that optical structures on the sheets are configured orthogonal to each other.

The dependent claims are patentable for at least the same reason as independent claim 33, from which they ultimately depend, as well as for further patentable features recited therein.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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